IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 7456 of 2000

Between:

K.Galaiah, son of Venkatratnam,
Nizam Patnam, Guntur District.

..... PETITIONER

AND

1 The State of Andhra Pradesh, represented by its District Collector,
Guntur District.
2 The Mandal Development Officer, Mandal Praja Parishad,
Nagaram Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the orders of termination in D.Dis.No.668/1985/A, Dt. 03/02/1998 of the 2nd Respondent herein as illegal, arbitrary and further set-aside the order in O.A.No. 83126/1990 , dt. 07/12/1999 passed by the Andhra Pradesh Administrative Tribunal.

Counsel for the Petitioner: MS.B.MALLESWARI

Counsel for the Respondents: MR.B.SRINIVAS

The Court made the following:

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ORAL ORDER: (per GB.J.)

The Writ Petition is filed assailing the order passed by A.P. Administrative Tribunal (for short Tribunal) in OA.No.83126 of 1990, dated 7.12.1999.

2. The petitioner was initially appointed as Watchman on 2.7.1987. However, he was terminated from service on 3.2.1988. Aggrieved by the said termination, he raised civil proceedings and the civil Court dismissed the suit filed by him and thereafter he approached the Tribunal seeking appropriate directions, but the Tribunal also dismissed the OA filed by him. Aggrieved by the said order, he filed the present Writ Petition.

3. The learned counsel for the petitioner submits that similarly situate persons, as that of the writ petitioner, were considered and appropriate relief was granted and they were taken into service as per the directions of the Tribunal, but in the instant case the Tribunal did not grant any relief and therefore he prays that his case shall be considered on par with the other similarly situate persons.

4. Having heard the learned counsel for both sides, we are inclined to set aside the order passed by the Tribunal.

5. Accordingly the Writ Petition is disposed of and the order of the Tribunal is set aside and the matter is remitted back to the Tribunal for fresh consideration keeping in view the order passed in respect of similarly situate persons. The Tribunal shall dispose of the matter within a period of six (06) weeks from the date of receipt of a copy of this order. No costs.

(G.BIKSHAPATHY, J.)

29th April, 2005.

(P.S.NARAYANA, J.)

SSR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, State of Andhra Pradesh,
Guntur District.
2 The Mandal Development Officer, Mandal Praja Parishad,
Nagaram Mandal, Guntur District.

3 The Registrar, A.P. Administrative Tribunal, Hyderabad.

4 2 CCs to G.P. for Services-II, High Court of A.P. Hyderabad. (OUT)

5 2 CD copies

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